

Nays: Washington.

Absent-excused: Sarpalius.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sarpalius.

(Senator Caperton in Chair)

MEMORIAL RESOLUTIONS

S.R. 28 - By Lyon: Memorial resolution for Viola Maude Hall.

S.R. 31 - By Montford: Memorial resolution for Jack Payne.

S.R. 34 - By Montford: Memorial resolution for Lucille M. Clinton.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 32 - By Caperton: Commending County Judge Ralph Davis, Jr.

S.R. 33 - By Caperton: Expressing appreciation to Dr. Jose M. Ugarte, Capitol Physician for the Day.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 11:34 a.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

Sent to Governor
(February 2, 1987)

S.C.R. 21

NINTH DAY

(Tuesday, February 3, 1987)

The Senate met at 11:00 a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Anderson, Armbrister, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Johnson, Jones, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sims, Tejeda, Truan, Uribe, Washington, Whitmire, Zaffirini.

Absent-excused: Krier, Sarpalius.

A quorum was announced present.

The Reverend Quay Parmer, retired Methodist minister from Arlington and the father of Senator Parmer, offered the invocation as follows:

Our Father and our God, we give Thee thanks for the privilege which is ours of being a part of this State and a part of this nation. We realize, O God, that there are problems and difficulties that we face. We do not pray that we be spared these problems and difficulties. We pray that You'll give to each one of us an

understanding of our privilege. At the same time, our Father, we pray that You'll give us wisdom and guidance and strength to face the difficulties, to overcome them, to solve the problems. We pray that Your grace will uphold and sustain each one of us. Bless the members of this body. We pray, O God, that Your love will surround them with extra special strength and their families, and lead us by Your grace into a life of fullness, victory and triumph in this, the State of Texas. Hear our prayer for we ask it in the name of Christ and for His sake. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Sarpalius was granted leave of absence for today on account of illness on motion of Senator Glasgow.

Senator Krier was granted leave of absence for today on account of death in the family on motion of Senator Sims.

CO-AUTHOR OF SENATE BILL 16

On motion of Senator Farabee and by unanimous consent, Senator Blake will be shown as Co-author of S.B. 16.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 22

On motion of Senator Farabee and by unanimous consent, Senator Truan will be shown as Co-author of S.C.R. 22.

MESSAGE FROM THE HOUSE

House Chamber
February 3, 1987

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 31, In memory of James F. Hury, Sr.

Respectfully,
BETTY MURRAY, Chief Clerk
House of Representatives

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolution:

H.C.R. 26

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.J.R. 14 by Brown Finance
Proposing a constitutional amendment prohibiting the imposition of personal and corporate net income taxes.

S.B. 241 by Jones State Affairs
Relating to the authority of notaries to perform certain acts.

- S.B. 242** by Jones Health and Human Services
Relating to the regulation of dispensing opticians; providing a penalty.
- S.B. 243** by Leedom Jurisprudence
Relating to certain special expenses imposed by a municipal court when dismissal or finding of not guilty is required because of acts occurring subsequent to the offense alleged.
- S.B. 244** by McFarland, Parker Health and Human Services
Relating to the continuation, composition, powers, and duties of the Texas Diabetes Council and to the powers and duties of agencies represented on that council.
- S.B. 245** by McFarland Criminal Justice
Relating to the operations and continuation of the Texas Board of Corrections and to the manner in which defendants are sentenced, confined, and released from confinement.
- S.B. 246** by Washington Finance
Relating to the imposition, administration, collection, and civil and criminal enforcement of a corporate profits tax.
- S.B. 247** by Washington Finance
Relating to the imposition, collection, administration, and civil and criminal enforcement of a tax on the income of certain resident and nonresident individuals, trusts and estates, and partnerships.
- S.B. 248** by Washington, Whitmire Jurisprudence
Relating to the compensation of a retired judge assigned as a visiting judge.
- S.B. 249** by Washington Jurisprudence
Relating to service on a jury by a deaf person.
- S.B. 250** by Washington Jurisprudence
Relating to regulation of private process servers; providing penalties.
- S.B. 251** by Farabee Criminal Justice
Relating to contracts with private enterprises for the construction, operation, maintenance, and management of correctional facilities.
- S.B. 252** by Henderson State Affairs
Relating to regulation of contract motor carriers.
- S.B. 253** by Leedom Jurisprudence
Relating to the information required on bail bonds and personal bonds and the manner of taking forfeiture of a bond.
- S.B. 254** by Caperton State Affairs
Relating to eminent domain procedures.
- S.B. 255** by Caperton State Affairs
Relating to the granting of certificates of convenience and necessity in cases involving the exercise of eminent domain powers.
- S.B. 256** by Caperton Health and Human Services
Relating to the regulation of dental laboratories.
- S.B. 257** by Farabee Health and Human Services
Relating to the continuation, composition, powers, and duties of the Texas Department of Mental Health and Mental Retardation and to the provision of mental health and mental retardation services; providing a penalty.

S.B. 258 by Montford State Affairs
Relating to the acceptance of certain donations of money and other property by the Department of Public Safety.

S.B. 259 by Montford Natural Resources
Relating to the investment of certain funds by the Texas Water Development Board.

S.B. 260 by Henderson, Edwards, Lyon Economic Development
Relating to liability of directors of certain corporations.

S.B. 261 by Barrientos State Affairs
Relating to discharges of officers and employees of the Department of Public Safety and to political activities and campaigns.

S.B. 262 by McFarland Education
Relating to institutions served by higher education authorities and the exercise of the powers of higher education authorities by nonprofit corporations.

GUEST PRESENTED

Senator Barrientos was recognized and introduced the Capitol Physician for the Day, Dr. John Weaver of Austin.

Dr. Weaver was welcomed by the Senate as they expressed appreciation for his service.

SENATE RESOLUTION 37

Senators Krier and Barrientos offered the following resolution:

S.R. 37, Designating February 4, 1987, as "Texas Women in Sports Day".

The resolution was read and was adopted viva voce vote.

GUESTS PRESENTED

Senator Barrientos introduced the following women representing Texas Women in Sports: Larah Treadwell, Juliet Cuthbert, Elsa Hinojosa, Vincent Bradford, Gene Ball and Kamie Ethridge.

At the request of the President, Senator Barrientos escorted these women to the President's Rostrum for recognition by the Senate.

SENATE CONCURRENT RESOLUTION 26

Senator Jones offered the following resolution:

S.C.R. 26, Establishing the special joint Oil Overcharge Committee to study the distribution of oil overcharge funds resulting from related overcharge litigation, settlements and orders.

The resolution was read.

On motion of Senator Jones and by unanimous consent, the resolution was considered immediately and was adopted viva voce vote.

SENATE BILL 130 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 130, Relating to the creation, administration, powers, duties, operation, and financing of the Jack County Hospital District; authorizing a tax; granting the authority to issue bonds; and granting the power of eminent domain.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 130 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 130 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Krier, Sarpalius.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Krier, Sarpalius.

SENATE BILL 189 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 189, Relating to filing and approval of certificates and articles of incorporation of insurance companies.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 189 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 189 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Krier, Sarpalius.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Krier, Sarpalius.

SENATE BILL 199 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Senate Rule 89 and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 199, Relating to the regulation of certain activities concerning portable fire extinguishers and fixed fire extinguisher systems, fire detection and fire alarm devices and systems, fire protection sprinkler systems, and fireworks.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 199 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 199 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Krier, Sarpalius.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Krier, Sarpalius.

MEMORIAL RESOLUTION

H.C.R. 31 - (Brooks): Memorial resolution for James F. Hury, Sr.

CONGRATULATORY RESOLUTIONS

S.C.R. 25 - By Brooks: Extending congratulations to the League City Lions Club.

S.R. 36 - By Edwards: Commending Dr. Barton E. Freeman, Dr. Carroll Moore, Dr. Bill Barnhill, Dr. Jeffrey D. Cone and Dr. Robert J. Hays.

S.R. 38 - By Harris, Caperton: Extending congratulations to the senior class of Company B1 of the Corps of Cadets at Texas A&M University.

S.R. 39 - By Sarpalius: Extending congratulations to Windsor Park Baptist Church in De Soto, Texas.

S.R. 40 - By Johnson: Extending congratulations to Alpha Kappa Alpha sorority.

S.R. 41 - By Tejeda: Commending the teachers of Holy Name Elementary School in San Antonio.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 11:33 a.m. adjourned until 10:30 a.m. tomorrow.

APPENDIX

Signed by Governor
(February 3, 1987)

H.C.R. 18

H.C.R. 15

S.C.R. 21

TENTH DAY

(Wednesday, February 4, 1987)

The Senate met at 10:30 a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Anderson, Armbrister, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Montford, Parmer, Santiesteban, Sims, Tejeda, Truan, Uribe, Washington, Whitmire, Zaffirini.

Absent-excused: Parker, Sarpalius.

A quorum was announced present.